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TRANSMITTAL FORM

(be used for all correspondence after initial filing)

Total Number of Pages in This Submission

7

Application Number

10/600,286

Filing Date

June 20, 2003

First Named Inventor

Guillermo C. Bazan

Art Unit

Not Yet Assigned

Examiner Name

Not Yet Assigned

Attorney Docket Number

UC 7019952001

ENCLOSURES (check all that apply) Fee Transmittal Form Drawing(s) After Allowance Communication to Group Fee Attached Licensing-related Papers Appeal Communication to Board of Appeals and Interferences Amendment / Reply Petition Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) After Final Petition to Convert to a Provisional Application Proprietary Information Affidavits/declaration(s) Power of Attorney, Revocation Change of Correspondence Address Status Letter Extension of Time Request Terminal Disclaimer Other Enclosure(s)
(please identify below): Express Abandonment Request Request for Refund**Copy of Express Mail Label,
Copy of Postal Receipt, Copy of
First Page of Application and
Return Receipt Postcard** Information Disclosure Statement CD, Number of CD(s) _____ Certified Copy of Priority Document(s)

Remarks

 Response to Missing Parts/
Incomplete Application Response to Missing
Parts under 37 CFR
1.52 or 1.53**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**Firm
or
Individual name

Bingham McCutchen LLP

Signature

Date

March 12, 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

Peggy Nichols

Signature

Date

March 12, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130)

Complete if Known

Application Number	10/600,286
Filing Date	June 20, 2003
First Named Inventor	Guillermo C. Bazan
Examiner Name	Not Yet Assigned
Art Unit	Not Yet Assigned
Attorney Docket No.	UC 7019952001

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Other None
 Order

 Deposit Account:

Deposit Account Number

50-2518

Deposit Account Name

Bingham McCutchen LLP

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee
 to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20 ** = 0	X 0 = 0	
Multiple Dependent	-3 ** = 0	X 0 = 0	

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 0)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive – unavoidable	
1453	1,330	2453	665	Petition to revive – unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	David W. Maher	Registration No. (Attorney/Agent)	40,077	Telephone	(650) 849-4908
Signature	<i>David W. Maher</i>		Date	March 12, 2004	

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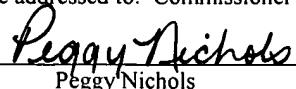
This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

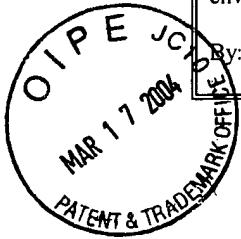
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By:



Peggy Nichols
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application for:

Guillermo C. BAZAN, et al.

Application Serial No.: 10/600,286

Filing Date: June 20, 2003

Title: Method and Compositions for Detection
and Analysis of Polynucleotides Using
Light Patent File

Examiner: Unassigned

Group Art Unit: Unassigned

**PETITION TO CORRECT FILING DATE
PURSUANT TO 37 C.F.R. § 1.10**

Office of Initial Patent Examination
Filing Receipt Corrections
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby petition the Commissioner to accord the correct filing date of June 20, 2003. The application was deposited with the U.S. Postal Service as Express Mail in accordance with the provisions of 37 CFR 1.10 on June 20, 2003. Enclosed is a true copy of the Express Mail mailing label listing the "Date In" as June 20, 2003 and also showing the circular U.S. Post Office cancellation stamp date of June 20, 2003. Also enclosed is a true copy of the receipt from the U.S. Postal Service reflecting deposit of Express Mail Label No. EV348162527US on June 20, 2003. Also enclosed is a copy of

03/18/2004 ANONDAF1 00000053 502518 10600286

01 FC:1460

130.00 DA

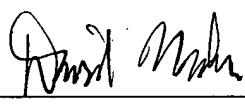
the first page of the application indicating the Express Mail Label No. of EV348162527US, in accordance with 37 CFR 1.10. This petition is being filed promptly after I became aware that the Office has accorded a filing date other than the date of deposit.

Accordingly, the Commissioner is requested under 37 CFR 1.10 to accord this application the filing date of June 20, 2003, the date it was deposited with the U.S. Postal Service.

The Commissioner is hereby authorized to charge any fees that may be required as set forth in 37 CFR 1.17(h) by this transmittal and associated documents, or to credit any overpayment to **Deposit Account No. 50-2518**, referencing billing no. **7019952001**.

Respectfully submitted,

Dated: March 12, 2004

By: 
David W. Maher (Reg. No. 40,077)

Bingham McCutchen LLP
Three Embarcadero Center, Suite 1800
San Francisco, California 94111
Telephone: (650) 849-4908
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METHODS AND COMPOSITIONS FOR DETECTION AND ANALYSIS**OF POLYNUCLEOTIDES USING LIGHT HARVESTING****MULTICHROMOPHORES****CROSS REFERENCE TO RELATED APPLICATIONS**

- 5 [0001] This application claims the benefit of U.S. Provisional Application Nos. 60/390,524, filed June 20, 2002 and 60/406,266, filed August 26, 2002, which are hereby incorporated by reference in their entireties.

STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH

- 10 [0002] Work leading to this invention was performed under grant number GM62958-01 from the National Institutes of Health, grant number DMR-0097611 from the National Science Foundation and grant number N00014-98-1-0759 from the Office of Naval Research. The U.S. Government may have limited rights in this invention.

15

TECHNICAL FIELD

- [0003] This invention relates to methods, articles and compositions for the detection and analysis of polynucleotides in a sample.

BACKGROUND OF THE INVENTION

- 20 [0004] Methods permitting DNA sequence detection in real time and with high sensitivity are of great scientific and economic interest.^{1,2,3} Their applications include medical diagnostics, identification of genetic mutations, gene delivery monitoring and specific genomic techniques.⁴ Cationic organic dyes, such as ethidium bromide and thiazole orange, emit when intercalated into the grooves of double strand DNA (dsDNA), and serve as direct DNA hybridization probes, but lack sequence specificity.^{5,6} Energy/electron transfer chromophore pairs for strand specific assays exist, but require chemical labeling of two nucleic acids, or dual modification of the same altered strand

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06/20/2003 (800)275-8777 08:47:42 PM

Product Description	Sales Sale Qty	Receipt Unit Price	Final Price
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ALEXANDRIA VA 22313 \$13.65
Express Mail PO-ADD Flat

Rate **EV349163788US**

Serial Number EV348163709US
2nd Delivery Day Noon /
Normal Delivery
Paid by account: \$13.65
2102318

EMCA account number:
ALEXANDRIA VA 22313

Express Mail PO-ADD Flat
Rate

Serial Number : EV348162527US
2nd Delivery Day Noon /
Normal Delivery
Paid by account: \$13.65
210210

EMCA account number:
ALEXANDRIA VA 22313

Express Mail PO-ADD Flat
Rate
Serial Number EV348163712US

2nd Delivery Day Noon /
Normal Delivery
Paid by account: \$13.65
EMCA account number: 940318

Total:

Paid by:

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PO ZIP Code: 44228	Day of Delivery: <input checked="" type="checkbox"/> Monday <input type="checkbox"/> Tuesday <input type="checkbox"/> Wednesday <input type="checkbox"/> Thursday <input type="checkbox"/> Friday <input type="checkbox"/> Saturday <input type="checkbox"/> Sunday	Delivery Attempt: <input type="checkbox"/> Once <input checked="" type="checkbox"/> Twice <input type="checkbox"/> Three Times	Time of Delivery: <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM
Date of Pickup: 12/12/02	Pickup Method: <input type="checkbox"/> Standard <input checked="" type="checkbox"/> Priority Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Nightline <input type="checkbox"/> Same Day	Delivery Attempt: <input type="checkbox"/> Once <input checked="" type="checkbox"/> Twice <input type="checkbox"/> Three Times	Time of Delivery: <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM
Time of Pickup: 12:00 PM	Priority Mail Service: <input type="checkbox"/> Standard <input checked="" type="checkbox"/> Express Mail <input type="checkbox"/> Nightline <input type="checkbox"/> Same Day	Delivery Attempt: <input type="checkbox"/> Once <input checked="" type="checkbox"/> Twice <input type="checkbox"/> Three Times	Time of Delivery: <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM
AM <input type="checkbox"/> PM <input checked="" type="checkbox"/>	Return Receipt Fee: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Delivery Date: <input type="checkbox"/> Same Day <input checked="" type="checkbox"/> Next Day	Delivery Signature: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Weight: 1 lb.	Insurance (if applicable): <input type="checkbox"/> None <input checked="" type="checkbox"/> \$100.00 <input type="checkbox"/> \$200.00 <input type="checkbox"/> \$300.00 <input type="checkbox"/> \$400.00 <input type="checkbox"/> \$500.00 <input type="checkbox"/> \$600.00 <input type="checkbox"/> \$700.00 <input type="checkbox"/> \$800.00 <input type="checkbox"/> \$900.00 <input type="checkbox"/> \$1000.00	Delivery Method: <input type="checkbox"/> Walkup <input checked="" type="checkbox"/> Mailbox <input type="checkbox"/> Other _____	Delivery Signature: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ACCEPTEANCE OF CARRIER'S INITIALS <input checked="" type="checkbox"/> Initials _____ <input type="checkbox"/> Signature _____ <input type="checkbox"/> Stamp _____		WATERPROOF NATURE CERTIFICATION <input type="checkbox"/> Administered by carrier to insure that package has not been tampered with or damaged during delivery.	
<p>METHOD OF PAYMENT FOR USE OF MAIL <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Credit Card <input type="checkbox"/> ATM Card <input type="checkbox"/> Debit Card <input type="checkbox"/> Prepaid Card <input type="checkbox"/> Other _____</p> <p>CUSTOMER USE ONLY</p> <p>No Delivery: <input type="checkbox"/> Holiday: <input type="checkbox"/> Residential: <input type="checkbox"/></p> <p>EX-40318</p>			

6/20/03 B49-4825
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